

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

---

LIFE ENRICHMENT FOUNDATION,  
Individually and On Behalf of All Others  
Similarly Situated,

Plaintiff,

vs.

MERRILL LYNCH & CO., INC.,  
E. STANLEY O'NEIL, AHMASS L,  
FAKAHANY, GREGORY J. FLEMING,  
and JEFFREY N. EDWARDS,

Defendants.

---

MICHAEL J. SAVENA, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

MERRILL LYNCH & CO., INC.,  
E. STANLEY O'NEAL, AHMASS L.  
FAKAHANY, GREGORY J. FLEMING and  
JEFFREY N. EDWARDS,

Defendants.

---

**ELECTRONICALLY FILED**

CIVIL ACTION No. 07cv9633 (LBS)

CIVIL ACTION No. 07cv09837 (LBS)

---

[Additional Captions on Following Page]

**NOTICE OF WITHDRAWAL OF COUNSEL OF RECORD**

---

GARY KOSEFF, Individually and On Behalf  
of All Others Similarly Situated,

Plaintiff,

vs.

MERRILL LYNCH & CO., INC.,  
E. STANLEY O'NEAL, AHMASS L.  
FAKAHANY, GREGORY J. FLEMING,  
and JEFFREY N. EDWARDS,

Defendants.

---

ROBERT R. GARBER, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

MERRILL LYNCH & CO., INC.,  
E. STANLEY O'NEAL, AHMASS L.  
FAKAHANY, GREGORY J. FLEMING,  
and JEFFREY N. EDWARDS,

Defendants.

---

JAMES CONN, Individually and On Behalf  
of All Others Similarly Situated,

Plaintiff,

vs.

MERRILL LYNCH & CO., INC.,  
E. STANLEY O'NEAL, JEFFREY N.  
EDWARDS, LAWRENCE A. TOSI,  
ARMANDO M. CODINA, VIRGIS W.  
COLBERT, ALBERTO CRIBIORE, JOHN  
D. FINNEGAN, JUDITH MAYHEW  
JONAS, AULANA L. PERTERS, JOSEPH  
W. PRUEHER, ANN N. REESE, and  
CHARLES O. ROSSOTTI,

Defendants.

---

CIVIL ACTION No. 07cv10984 (LBS)

CIVIL ACTION No. 07cv11080 (LBS)

CIVIL ACTION No. 07cv11626 (LBS)

Pursuant to Local Civil Rule 1.4, the law firm of Schiffrian Barroway Topaz & Kessler, LLP (“SBTK”), and its attorneys of record, hereby request an order permitting SBTK to withdraw as counsel of record for lead plaintiff movant the State Teachers’ Retirement System of Ohio (“Ohio STRS”) in the above-captioned actions.

Currently, there are two pending motions for the consolidation of actions and appointment of lead plaintiff and approval of lead plaintiff’s selection of counsel filed by movants Ohio STRS and James Conn. Opposition briefs to these motions were filed on January 18, 2008.

Ohio STRS remains represented by the law firms of Kaplan Fox & Kilsheimer LLP and Berger & Montague, P.C. Therefore, there is good cause to permit SBTK’s withdrawal.

DATED: January 30, 2008

Respectfully Submitted,

**SCHIFFRIN BARROWAY TOPAZ &  
KESSLER, LLP**

By: s/ Karen E. Reilly  
Karen E. Reilly, NY Bar No: 2122893  
Richard S. Schiffrian  
Andrew L. Barroway  
Sean M. Handler  
280 King of Prussia Road  
Radnor, PA 19087  
Telephone: (610) 667-7706  
Facsimile: (610) 667-7056

**CERTIFICATE OF SERVICE**

I hereby certify that on this date I filed true and correct copies of the foregoing document with the Clerk of Court via the CM/ECF system which will send notification to counsel registered for CM/ECF. I have also mailed copies of the foregoing documents to be served via U.S. mail to the non-ECF participants listed on the attached Service List.

Dated: January 30, 2008

By: s/ Karen E. Reilly

Karen E. Reilly, NY Bar No: 2122893

**SCHIFFRIN BARROWAY**

**TOPAZ & KESSLER, LLP**

280 King of Prussia Road

Radnor PA 19087

Tel: 610-667-7706

Fax: 610-667-7056

**NON-CM/ECF SERVICE LIST**

Alfred G. Yates, Jr.  
Gerald L. Rutledge  
**Law Office of Alfred G. Yates Jr. PC**  
519 Allegheny Building  
429 Forbes Avenue  
Pittsburgh, PA 15219  
(412) 391-5164  
Fax: (412) 471-1033

*Counsel for Plaintiff Robert R. Garber*

**Joshua B. Silverman**  
One North LaSalle Street  
Suite 2225  
Chicago, IL 60602  
(312) 377-1181  
Fax: (312) 377-1184

*Counsel for Plaintiff James Conn*

Patrick V. Dahlstrom  
**Pomerantz Haudek Block Grossman & Gross LLP**  
100 Park Avenue, 26th Floor  
New York, NY 10017  
(212)661-1100  
Fax: (212)661-8665

*Counsel for Plaintiff James Conn*

Joseph W. Cotchett  
Mark Cotton Molumphy  
**Cotchett, Pitre & Simon**  
San Francisco Airport Office Center  
840 Malcolm Rd.  
Burlingame, CA 94010  
(650) 697-6000

*Counsel for Plaintiff James Conn*

Nancy L. Fineman  
**Cotchett Pitre Simon & McCarthy**  
840 Malcolm Road  
Suite 200  
Burlingame, CA 94010  
(650)697-6000

*Counsel for Plaintiff James Conn*